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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

CECILIA L. BARNES,

Plaintiff,

v.

YAHOO! INC.,

Defendant.

Civil Action No. 6:05-CV-926-AA

**DEFENDANT YAHOO! INC.'S
MEMORANDUM IN SUPPORT OF
ITS UNOPPOSED MOTION TO
EXTEND TIME TO FILE REPLY
BRIEF IN SUPPORT OF ITS MOTION
TO DISMISS**

Defendant Yahoo!, Inc. ("Yahoo!") hereby submits this Memorandum in Support of its Unopposed Motion To Extend Time To File Reply Brief in Support of Its Motion To Dismiss, MEMORANDUM IN SUPPORT OF UNOPPOSED MOTION TO EXTEND TIME TO FILE REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS

requesting that the Court extend Yahoo!'s deadline for filing its reply brief until September 28, 2005. In support thereof, Yahoo! states as follows:

1. On July 27, 2005, Yahoo! filed a Motion to Dismiss the Complaint. On August 3, 2005, Plaintiff filed an unopposed motion to extend time for the Plaintiff to file her response to the motion to dismiss until September 1, 2005 and for Yahoo! to file its reply in support of the motion to dismiss until September 21, 2005. On August 5, 2005, the Court issued a minute order granting the Plaintiff's motion but indicated that the Plaintiff's response was due by September 21, 2005, and that Yahoo!'s Motion to Dismiss would be taken under advisement as of October 11, 2005. Notwithstanding the Court's order, on August 17, 2005, the Plaintiff and Yahoo! agreed to file their respective briefs according to the more abbreviated schedule requested in Plaintiff's motion, with Plaintiff's response brief due by September 1, 2005 and Yahoo!'s reply brief due by September 21, 2005.

2. On August 30, 2005, Yahoo! agreed to the Plaintiff's request to extend her time to file her response brief from September 1, 2005 until September 7, 2005.

3. Yahoo! now moves to extend its time to file its reply brief from September 21, 2005 until September 28, 2005.

4. Plaintiff's counsel has authorized Yahoo!'s counsel to state that he consents to the extension of the deadline for Yahoo! to file its reply brief.

5. The granting of the requested extension will have no impact on any other existing deadlines, settings, or schedules in this case.

6. Yahoo! respectfully prays that the Court grant this motion and enter an order extending its deadline for filing its reply brief in support of its motion to dismiss until September 28, 2005. A proposed order, agreed to by Yahoo! and the Plaintiff, is attached.

Respectfully submitted,
WILMER CUTLER PICKERING
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/s/ Patrick J. Carome

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September 14, 2005